

EXHIBIT 5

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

BNP PARIBAS S.A.,

BNP PARIBAS (SUISSE) S.A., Individually and
as Successor in Interest to BNP Paribas Private
Bank (Switzerland) S.A. and as Successor in
Interest to United European Bank,

BNP PARIBAS ARBITRAGE SNC,

BNP PARIBAS BANK & TRUST (CANADA),

BNP PARIBAS BANK & TRUST CAYMAN
LIMITED,

BGL BNP PARIBAS LUXEMBOURG S.A., as
Successor in Interest to BNP Paribas Luxembourg
S.A.,

BNP PARIBAS SECURITIES SERVICES—
SUCCURSALE DE LUXEMBOURG, and

BNP PARIBAS SECURITIES SERVICES S.A.,

Defendants.

Adv. Proc. No. 12-01576 (BRL)

**STIPULATION EXTENDING TIME TO RESPOND
AND ADJOURNING THE PRE-TRIAL CONFERENCE**

IT IS HEREBY STIPULATED AND AGREED, by and between plaintiff Irving H. Picard, as trustee (the “Trustee”) for the substantively consolidated SIPA liquidation of Bernard L. Madoff Investment Securities and the estate of Bernard L. Madoff, and defendants BNP Paribas S.A., BNP Paribas Arbitrage SNC, BNP Paribas Bank & Trust (Canada), BNP Paribas Bank & Trust Cayman Limited, BGL BNP Paribas Luxembourg S.A., BNP Paribas Securities Services—Succursale de Luxembourg, and BNP Paribas Securities Services S.A. (collectively, “Stipulating Defendants”), by and through their undersigned counsel herein, that the time by which Stipulating Defendants may move, answer or otherwise respond to the Trustee’s complaint (the “Complaint”) is extended up to and including September 5, 2012. The pre-trial conference shall be adjourned from June 27, 2012, to September 20, 2012, at 10:00 a.m.

The purpose of this stipulated extension is to provide additional time for the Stipulating Defendants to answer, move against, or otherwise respond to the Complaint. This is the first such extension. Nothing in this stipulation is a waiver of the Stipulating Defendants’ right to request from the Court a further extension of time to answer, move or otherwise respond to the Complaint and/or the Trustee’s right to object to any such request.

The Trustee agrees to serve defendant BNP Paribas (Suisse) S.A.—who is not a party to this Stipulation—pursuant to the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters. The Trustee further agrees that, after such service is effected, the Trustee shall agree to a further extension of time for Stipulating Defendants and/or BNP Paribas (Suisse) S.A. (together, the “BNP Paribas Defendants”) so that the BNP Paribas Defendants shall have the same date by which they must answer, move against, or otherwise respond to the Complaint, which shall be no sooner than September 5, 2012

Undersigned counsel for Stipulating Defendants agrees to accept service of the summons and Complaint on behalf of Stipulating Defendants and hereby waives any defenses based on insufficiency of process or insufficiency of service of process on behalf of Stipulating Defendants. Except as expressly set forth herein, the parties to this stipulation reserve all rights and defenses they may have, and entry into this stipulation shall not impair or otherwise affect such rights and defenses, including without limitation, any defenses based on lack of jurisdiction of this Court.

This stipulation may be signed by counsel in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile or electronic copy of this stipulation shall be deemed an original. This stipulation may be modified by written agreement between counsel for the parties for good cause shown. This stipulation is entered into pursuant to the Order Granting Supplemental Authority to Stipulate to Extensions of Time to Respond and Adjourn Pre-Trial Conferences (Adv. Pro. No. 08-01789 (BRL), Dkt. No. 4662).

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Dated: June 20, 2012
New York, New York

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